

**Adopted Minutes  
Spanish Fork City Planning Commission  
April 2, 2003**

The meeting was called to order at 7:00 p.m. by Chair Lewis.

Commission members present: Chairman David E. Lewis; Commissioners Roy L. Johns; Thora L. Shaw; Paul Bradford; and Ted Scott.

Commission members absent: Thad S. Jensen.

Staff Members Present: Richard J. Heap, City Engineer/Public Works Director; Marlo Smith, Engineering Secretary.

Citizens Present: David Hutchings, Patty Esch, Chris Twitty, Carl Pitt, Cathy Pitt, Gordon Jones, Jeff Simonsen, Todd Stewart, Scott Huff, Michael Ward and Brian Gabler.

**Preliminary Activities - Pledge of Allegiance**

The Pledge of Allegiance was led by Chair Lewis

**Minutes**

Chair Lewis stated that approval of the March 5, 2003 minutes would be postponed until the May 7, 2003 meeting.

**Public Hearings - Community Housing Conditional Use Permit (Tabled from March 5, 2003)**

Commissioner Shaw made a **motion** to open the public hearing at 7:06 p.m. Commissioner Johns **seconded** and the motion **passed** unanimously.

Mr. Phil Carroll with Community Housing Services asked that the request for a conditional use permit be tabled until the May 7, 2003 Planning Commission Meeting. Mr. Carroll stated that CHS and the neighborhoods have not met together this past month.

Chair Lewis asked Mr. Carroll about their non-profit classification and what a 501c specified. Mr. Carroll stated that a 501c is a Utah State tax exempt organization with a federal tax code.

Commissioner Shaw asked why the height of the building couldn't be decreased by lowering the building five feet into the ground. Mr. Carroll stated that the views out of the bottom apartments would not be very desirable to the residents. Discussion took place regarding the height of the berm and fence. Discussion took place regarding stairs.

Patty Esch - Ms. Esch stated she was representing Chris Dudley who is not able to attend tonight's meeting. Ms. Esch stated that Community Housing Services were asked to have a meeting with the neighborhood at the March 5, 2003 Planning Commission Meeting. CHS did not try to schedule that meeting until today at 3:00 p.m. Another concern was the neighborhood is already full of churches, another assisted living center, single family homes, twin homes and rentals, etc. Pictures of other CHS buildings in other towns were presented to the Commissioners. Other CHS buildings seem to be next to many amenities. Ms. Esch asked Mr. Carroll how the area for the buildings is decided. Mr. Carroll stated that the area is decided by presenting the plans to the City and receiving help from City Staff and City Council members for the acceptable area.

Chair Lewis asked Ms. Esch how this information showed the CHS building to be detrimental to the neighborhood. Ms. Esch stated that this CHS building appeared to be the farthest away from any amenities. Chair Lewis asked why this was a concern to the neighborhood? Ms. Esch stated the CHS building should be located closer to amenities. Chair Lewis stated this would seem to be a problem for CHS or the residents that will live in the units and not detrimental to the neighborhood. Ms. Esch stated that with the residents not having close access to amenities it would increase traffic and that is a concern because of all the children in the area.

Commissioner Bradford stated that all schools have considerable traffic during the morning or after school is out.

Ms. Esch listed the requests the neighborhood would like the Planning Commission to consider:

- The massive size of the building be restricted to a smaller size.
- CHS is proposing not to use stucco for insurance reasons, all other CHS buildings presented have used stucco.
- The safety of the children is a concern. One suggestion was to close the sidewalk to the North of Mike Gardner's property. Ms. Esch feels the children will still cross the road there.
- A playground in the Parkside Park has been requested from CHS. Discussion took place that a playground is not possible because of the HUD loan CHS will use.
- The neighborhood requests a shuttle be available for the residents and that there be a full time attendant at the CHS building.
- Require CHS to do background checks on primary, secondary and other full time residents.
- Covered parking and parking lot lights be required.
- Increase in parking stalls for tenants and visitors.

Gordon Jones - Mr. Jones stated that 30 units per acre density seems very high compared to other areas around. Mr. Jones feels that this is detrimental to the area. Discussion took place regarding a common area for the residents should be available. Mr. Jones feels that the development review committee and other city staff are confusing the use of materials and height of the building to cover the amount of density allowed. Mr. Jones stated that the height of the two story building compared to a two story home is quite different. Mr. Jones stated the only way this building will fit into the neighborhood is if it is single story. Mr. Jones would like to

see a condition from the planning commission to require a single story building. Mr. Jones asked if the CHS building is required to meet same standards as other developers and if so, another developer can not use the excuse that they can not afford to add something required by the City.

Commissioner Johns asked Mr. Jones why he thinks the City is pushing the project. Mr. Jones answered that it seems the City is pushing the project because in other Cities he has worked with a City Planner has never taken pictures, gathered information on materials, etc. Commissioner Johns stated the reason why Mr. Pierson was hired is to present all information after meeting with the developer.

Jeff Simonsen - Mr. Simonsen asked if the City has met it's low income housing ratio requirement? Commissioner Shaw stated that the low income housing goal is already met.

Commissioner Bradford stated that in the pictures of other CHS buildings presented it shows very few cars.

Mr. Heap discussed an affordable housing unit in Orem at approximately 350 N 400 E. There are 36 units. This unit would give a good feel for the amount of traffic and it is in the middle of a residential area.

Chris Twitty - Mr. Twitty asked the Planning Commissioners to allow limited public input at the next meeting.

Commissioner Shaw asked Mr. Jones if he can see a problem with a basement apartment in the CHS building. Mr. Jones stated that most people do not like basement apartments, but there are no code restrictions against them. Mr. Jones stated that most developers are now doing retaining walls instead of window wells to help open basement apartments.

David Hutchings - Mr. Hutchings asked why CHS couldn't use their own money for the park that has been requested and not try to use the HUD loan for the park. Mr. Hutchings also asked if an escrow account would be in place for the maintenance of the building. Mr. Carroll answered yes, there will be an escrow account.

Michael Ward - Mr. Ward asked that an all masonry building be required for the appearance of the building.

Chair Lewis asked if there is any other public comment. There was none.

Commissioner Johns made a motion to table the Community Housing Services Conditional Use Permit until the May 7, 2003 Planning Commission Meeting. Commissioner Bradford seconded and the motion passed unanimously.

Commissioner Shaw made a **motion** to close the public hearing at 7:55 p.m. Commissioner Scott **seconded** and the motion **passed** unanimously.

## Staff Reports - Macey's Subdivision Waiver

Carl Pitt is representing the Subdivision Waiver of the new Macey's plaza. Mr. Pitt stated that the property is 7.589 acres total and would like to subdivide to create two lots. Lot 1 would be 66,414 square feet and would be the lot of the new Macey's building. Lot 2 would be 264,150 square feet and would be the parking lot.

Discussion took place regarding the Development Review Committee meeting that was held this morning.

Commissioner Shaw made a **motion** to approve the Macey's Subdivision Waiver with the following condition:

1. Grant a utility easement.

Commissioner Scott **seconded** and the motion **passed** unanimously.

## Community Housing Services Subdivision Waiver

Commissioner Johns made a **motion** to table the Community Housing Services Subdivision Waiver until the May 7, 2003 Planning Commission Meeting. Commissioner Bradford **seconded** and the motion **passed** unanimously.

Commissioner Shaw made a **motion** to open the public hearing at 8:03 p.m. Commissioner Scott **seconded** and the motion **passed** unanimously.

## Public Hearing - Zoning Ordinance Text Amendment

Mr. Heap reviewed the proposed zoning text amendment.

Discussion took place regarding the option for arts and crafts and auctions be allowed at other places other than the fairgrounds.

Commissioner Bradford made a **motion** that the Planning Commission give a positive recommendation to the City Council on the amendments to the Zoning Ordinance Title 17 with the following recommendations:

1. Change in Accessory Buildings 17.28.040. A(5) The minimum front setback for detached garages and other accessory buildings shall conform to the minimum front setback for main buildings and shall be set at least six (6) feet from the main structure. *Accessory building located on a corner lot shall meet the same front and side setbacks as required for the main structure.*
2. Change the Light Industrial (I-1) zoning district in 17.20.110.C. (Uses Subject to Conditional Use Permit) to include:
  10. *Publicly owned and operated recycling center*
  11. *Publicly owned and operated compost facility*
  12. *Publicly owned and operated green waste facility*
3. Create a new zoning district known as the *Recreation Facilities District* by

*ordinance, providing for the uses at the fairground, golf course, gun club, and Canyon View Park. With the change to permitted uses, eliminate the fairgrounds only restriction from Antique fairs and shows, Art and craft fairs and shows, and Auctions.*

Commissioner Johns **seconded** and the motion **passed** unanimously.

### **Adjournment**

Commissioner Scott made a **motion** to adjourn the April 2, 2003 Spanish Fork Planning Commission meeting. Commissioner Shaw **seconded** and the motion passed **unanimously**. The meeting was adjourned at 8:25 p.m.